

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants(s) : Lamb et al.
U.S. Serial No. : 09/310,685
Filing Date : May 4, 1999
Examiner : A. DeCloux
Art Unit : 1644
For : NOTCH

745 Fifth Avenue
New York, NY 10151

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THOMAS J. KOWALSKI REG. NO. 32,147
Name of Applicant, Assignee or Registered Representative


Signature

14 NOV 2001
Date of Signature

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**RESPONSE TO OFFICE ACTION WITH REQUEST FOR
WITHDRAWAL OF RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated October 23, 2001, which sets a one month period for response. Group I, claims 27-31 and 33-42, is elected with traverse.

REMARKS

Attached hereto is a copy of the "DATA ATTACHMENT TO RESPONSE TO OFFICE ACTION WITH AMENDMENT, REQUEST FOR EXTENSION OF TIME AND WITHDRAWAL OF RESTRICTION REQUIREMENT", which was mailed on July 27, 2001. The figure corresponding to Study 5 was inadvertently omitted in the originally-filed document and is now included on page 17.

Serial No. 09/310,685 File No. 674525-2001 By NK/mc
Title In the Matter of the Application of LABBETAL
The following due _____ in the U.S. Patent Office, was received in the Patent Office
☐ Affidavit ☐ Declaration ☐ Express Mail Mailing Certificate
☐ Amendment ☐ (separate sheet)
☐ Preliminary Amendment ☐ Check No. _____ for \$ _____
☐ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☐ Drawing _____ Sheet(s)
☐ Provisional Patent Application ☐ Information Disclosure Statement
☐ Application for Patent, including
 _____ Pages Specification _____ Claims ☐ PTO Form 1449,
☐ Declaration ☐ Oath ☐ Power ☐ Issue Fee Transmittal
☐ Request for Filing Continuation or Divisional ☐ Brief ☐ Letter
Application _____ sheets, in duplicate ☐ Application for TM Registration
☐ File Wrapper Continuation Patent Application ☐ Including _____ Specimens
 _____ sheets, in duplicate ☐ Status Request ☐ Notice of Appeal
☐ PCT Request _____ sheets, including ☐ Petition ☒ Response to Office
☐ Transmittal Letter to the US/RO ☐ Priority Document ☒ Action w/ Req.
☐ Assignment ☐ Recordation Cover Sheet ☐ Small Entity Declaration ☒ Rest. Reg.

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☐ Provisional Patent Application ☐ Information Disclosure Statement
☐ Application for Patent, including
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☐ Request for Filing Continuation or Divisional ☐ Brief ☐ Letter
Application _____ sheets, in duplicate ☐ Application for TM Registration
☐ File Wrapper Continuation Patent Application ☐ Including _____ Specimens
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VIA HAND DELIVERY

**AMENDMENT AND RESPONSE TO OFFICE ACTION
WITH REQUEST FOR EXTENSION OF TIME**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the February 26, 2002 Office Action and further to the August 6, 2002 interview and August 13, 2002 telephone conference with Examiner Amy DeCloux.

REQUEST FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. 1.136 and 1.17(a), a three-month extension of the period for reply, i.e., to up to and including August 26, 2002, is respectfully requested. A check for \$920.00 is enclosed. The Commissioner is authorized to charge any additional fee for the extension or any other fee occasioned by this paper, or credit any overpayment of such fees, to Deposit Account No. 50-0320.

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